



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al.

Art Unit : 1632

Serial No. : 09/909,460

Examiner : D. Nguyen

Filed : July 18, 2001

Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

MAIL STOP RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR FIVE-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicants hereby petition that the period for response following the filing of a Notice of Appeal on February 17, 2005 be extended for five months to and including September 19, 2005 (September 17, 2005 falls on a Saturday).

Enclosed is a check for \$1475 for the required five-month extension (\$1080) and RCE fee (\$395). Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 08191-014002.

Respectfully submitted,

Date:

September 19, 2005

Jack Brennan

Jack Brennan

Reg. No. 47,443

Fish & Richardson P.C.

Citigroup Center - 52nd Floor

153 East 53rd Street

New York, New York 10022-4611

Telephone: (212) 765-5070

Facsimile: (212) 258-2291

30249166.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

September 19, 2005

Date of Deposit

Signature

Pete Consoli

Pete Consoli

Typed or Printed Name of Person Signing Certificate

09/23/2005 YPOLITE1 00000037 09909460

02 FC:2255

1080.00 0P